

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FRANCIS EUGENE PORTER

Plaintiff

v.

OFFICER MASSI, et al.

Defendants

:

:

CIVIL ACTION

NO. 05-1490

:

JURY TRIAL DEMANDED

:

:

PLAINTIFF'S PROPOSED JURY INTERROGATORIES

1. Has the plaintiff, Francis Porter, proven by a preponderance of the evidence that Joseph Massi, William Swanson, James Nolan, William McGoldrick and/or Officer Mullen violated the United States Constitution and 42 U.S.C. § 1983 and the Pennsylvania Constitution by detaining and arresting Mr. Porter? If so,
 - a. What amount of compensatory damages do you award the plaintiff on this claim?
\$ _____
 - b. What amount of punitive damages do you award plaintiff on this claim from Joseph Massi?
\$ _____
 - c. What amount of punitive damages do you award plaintiff on this claim from William Swanson?
\$ _____
 - d. What amount of punitive damages do you award plaintiff on this claim from James Nolan ?
\$ _____

- e. What amount of punitive damages do you award plaintiff on this claim from William McGoldrick ?

\$ _____

- f. What amount of punitive damages do you award the plaintiff on this claim from Officer Mullen?

\$ _____

No matter what your response is to Question 1 go on to Question 2

2. Has the plaintiff proven by a preponderance of the evidence that William Swanson violated the United States Constitution and 42 U.S.C. § 1983 and the Pennsylvania Constitution by using excessive force on Mr. Porter.? If so,

- a. What amount of compensatory damages do you award the plaintiff on this claim?

\$ _____

- b. What amount of punitive damages do you award the plaintiff on this claim?

\$ _____

No matter what your answer your answer is to question 2, go on to question 3.

3. Has the plaintiff proven by a preponderance of the evidence that Joseph Massi violated the United States Constitution and 42 U.S.C. § 1983 and the Pennsylvania Constitution by maliciously prosecuting criminal charges against Mr. Porter.? If so,

- a. What amount of compensatory damages do you award the plaintiff on this claim?

\$ _____

- b. What amount of punitive damages do you award the plaintiff on this claim?

\$ _____

No matter what your answer your answer is to question 3, go on to question 4.

4. Has the plaintiff, Francis Porter, proven by a preponderance of the evidence that Joseph Massi, William Swanson, James Nolan, William McGoldrick and/or Officer Mullen violated the United States Constitution and 42 U.S.C. § 1983 and the Pennsylvania Constitution by conspiring to violate Mr. Porter's rights under the law.? If so,
- a. What amount of compensatory damages do you award the plaintiff on this claim?
\$ _____
 - b. What amount of punitive damages do you award the plaintiff on this claim from Joseph Massi?
\$ _____
 - c. What amount of punitive damages do you award the plaintiff on this claim from William Swanson?
\$ _____
 - d. What amount of punitive damages do you award that the plaintiff on this claim from James Nolan ?
\$ _____
 - e. What amount of punitive damages do you award the plaintiff on this claim from William McGoldrick?
\$ _____
 - f. What amount of punitive damages do you award the plaintiff on this claim from Officer Mullen?
\$ _____

Foreperson

CERTIFICATE OF SERVICE

It is certified that on this day a true and correct original or a copy of the plaintiff's Jury Interrogatories was mailed to the following at the address set out below by the means stated herein:

Thomas C. Gallagher, Esquire
Holsten & Associates
One Olive Street
Media PA 19063

Andrew F. Erba

dated: November 17, 2005